



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION

TUESDAY, JUNE 11, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH

GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT
OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: May 14, 2002

OLD BUSINESS:

1. **USE PERMIT, UP-02-03: TENNANT-SAFEWAY:** A request for approval of a conditional use permit to allow for the construction of a 12 pump gas station to be located at the south east corner of the intersection of Monterey Rd. and Tennant Ave. The proposed gas station will be located within the Tennant Station Shopping Center PUD. (APN 817-06-040)

Recommendation: Approve Resolution No. 02-38.

2. **GENERAL PLAN AMENDMENT, GPA-01-09: CITY OF MORGAN HILL-ADOPTION OF HOUSING ELEMENT:** This is a City-initiated request to approve a new Housing Element of the General Plan. The proposed Element represents a comprehensive statement of the City's current and future housing needs and proposed actions to facilitate the provision of housing to meet the needs of all income levels. The Element has been prepared in such a way as to meet the requirements of State law and to meet local housing objectives.

Recommendation: Table

NEW BUSINESS:

3. **ZONING AMENDMENT, ZA-01-15/SUBDIVISION, SD-01-10: COCHRANE-COYOTE ESTATES:** A proposal to re-zone and subdivide a 28-acre parcel into 50 residential lots with a tennis court park and an open space area in an existing Residential Planned Development known as Coyote Estates located east of Hwy 101 at the northwest corner of the intersection of Cochrane Rd. and Peet Rd. (APNs 728-35-088, 09, & 10 and 728-36-001 & 10)

Recommendation: Approve Mitigated Negative Declaration, and Adopt Resolution Nos. 02-42 (zoning amendment) and 02-43 (subdivision), with recommendation to forward to City Council for approval.

- 4 **ZONING AMENDMENT, ZA-01-16/SUBDIVISION, SD-01-11: COCHRANE-MISSION VIEW:** A proposal to amend the precise development plan and subdivide a .98-acre portion of the project into 24 units which will represent phases 5 & 6 of the Mission Ranch project located on the south east corner of the intersection of Cochrane Rd. and Mission View Dr. (APNs 728-32-001, 002, & 003 and 728-33-001)

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Recommendation: Adopt Resolution Nos. 02-44 (zoning amendment) and 02-45 (subdivision), with recommendation to forward to City Council for approval.

5. **USE PERMIT, UP-02-04: MONTEREY-MORGAN HILL CHARTER SCHOOL:** A request for approval of a conditional use permit to allow for a 18,160 sq. ft., K-8 public charter school in the Morgan Hill Plaza shopping center located at 16975 Monterey Rd. The school would accommodate up to 300 students. The project site is zoned Planned Unit Development. (APN 767-09-017)

Recommendation: Adopt Resolution No. 02-46, with recommendation to forward to City Council for approval.

6. **EXCEPTION TO LOSS OF BUILDING ALLOCATION, ELBA-02-02: MCLAUGHLIN-JONES:** A request for an Exception to Loss of Building Allocation (ELBA) for five building allotments within a single-family, attached project located north of Central Avenue, between McLaughlin Avenue and the railroad tracks. (APNs 726-24-002, 003, 005 & 007)

Recommendation: Adopt Resolution No. 02-47, with recommendation to forward to City Council for approval.

7. **EXCEPTION TO LOSS OF BUILDING ALLOCATION, ELBA-02-03: E. DUNNE-GREWAL:** A request for an Exception to Loss of Building Allocation (ELBA) for four building allotments on a 2.15-acre site located on the northeast corner of the intersection of E. Dunne Ave. and Hill Rd. (APN 728-11-026)

Recommendation: Adopt Resolution No. 02-48, with recommendation to forward to City Council for denial.

OTHER BUSINESS:

8. **DRAFT FY 02/03 - 06/07 CAPITAL IMPROVEMENTS PROGRAM (CIP):** Commission requested to review the Draft Five-Year Capital Improvements Program (CIP) for consistency with the Adopted 2001 General Plan.

Recommendation: Adopt Resolution No. 02-35.

9. **ZONING AMENDMENT, ZA-02-08: CITY OF MORGAN HILL-SUBCOMMITTEE RECOMMENDATIONS FOR CHANGES TO RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) STANDARDS AND CRITERIA:** A request to amend Chapter 18.78 of the Morgan Hill Municipal Code, amending the evaluation standards and criteria for proposed residential developments .

Recommendation: Review and Discussion.

TENTATIVE UPCOMING AGENDA ITEM FOR THE JUNE 25, 2002 MEETING:

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- **ANX-02-02: Cochrane-Borello II**
- **ZA-02-02: Cochrane-Borello II**
- **UP-02-05: Hale-Catholic High School**
- **ZA-01-23: Cochrane-In-N-Out Burgers**
- **UP-02-02: Cochrane-In-N-Out Burgers**
- **UP-02-06: Malaguerra-Boys Ranch Reservoir #3**
- **VAR-02-01: Malaguerra-Boys Ranch Reservoir #3**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

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The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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